

REMARKS

Claims 1 – 32 are pending in the above-identified patent application. Claims 1 – 7 were allowed in the Office Action dated November 28, 2003. Claims 8 – 32 were rejected. Applicant is amending claims 8 – 11, 21, 23 – 25, and canceling claim 22.

Rejection Under 35 U.S.C. §101

The Examiner rejected claims 8 – 32 under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter.

Specifically, the Examiner stated that the method claims could be performed using a mental process and verbal interaction and that no technological means is provided for the process nor is a concrete and tangible result produced. In response, Applicant is amending claim 8 to recite the use of a “...means for teaching...”, which corresponds to the third means for teaching of claim 1, which was indicated to be statutory by the Examiner. Further, claim 25 is being amended to recite the use of “at least one teaching aid,” which can be equivalent to the means of claim 1 that was indicated to be statutory. Applicant also submits that claims 8 and 25 produce a tangible and concrete result – a student with improved interviewing skills. This is concrete and tangible as improved interviewing can be concretely measured at least by the number of job offers given to the student before and after the method is performed and via other statistical techniques as is known in the art.

Accordingly, Applicant submits that claim 8 and 25, as well as their dependent claims, are statutory subject matter.

With respect to claim 11, the Examiner stated that the term instructions can be interpreted as computer code, which is not patentable subject matter, or a verbal or visual process, not directed to the technological arts. In response, Applicant is amending claim 11 to clarify that a teaching aid has the instructions, which is not computer code or a verbal or visual process.

Accordingly, Applicant submits that claim 11 and its dependent claims are directed to statutory subject matter.

The Examiner rejected claims 11 – 24 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention. Specifically, the Examiner stated that the term “instructions”

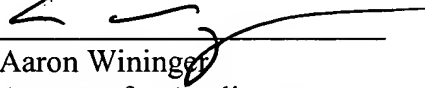
are not structural means of the "system" indicated in the preamble. In response, Applicant is amending the term to "at least one teaching aid having instructions..." to add structure to this claim element.

Accordingly, Applicant requests withdrawal of the rejection of claims 11 – 24.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.


Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

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